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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/833,085

04/11/2001

Yao Liang

ALCATEL 132489

8867

24587

7590

01/26/2007

ALCATEL USA

INTELLECTUAL PROPERTY DEPARTMENT

3400 W. PLANO PARKWAY, MS LEGL2

PLANO, TX 75075

EXAMINER

RUDY, ANDREW J

ART UNIT

PAPER NUMBER

3627

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|-----------|---------------|
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3 MONTHS

01/26/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/833,085

Applicant(s)

LIANG ET AL.

Examiner

Andrew Joseph Rudy

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) 21-34 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's November 1, 2006 Amendment and REMARKS has been reviewed. The previous art rejection regarding Johnson, US 5,712,989, and the 35 USC 112, second paragraph, are withdrawn pursuant thereto. Claims 21-34 remain withdrawn from consideration as drawn to a non-elected invention.
2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's disclosure.

Applicant's prior art disclosure, e.g. June 12, 2006 Amendment referencing Applicant's specification, page 1, lines 18-25, encompasses in broad scope and content Applicant's claim language. It is noted that Applicant's claim language is not limited to an one physical network management system. The fact is that two separate physical network management systems may be used to implement the claim language and fully encompass such. The term integral is not present in the claim language. Even if this term were included, it would include two separate physical network management systems. Applicant's November 1, 2006 Amendment and REMARKS has been reviewed, but are not convincing. Applicant's specification, page 1, lines 18-25 is admitted prior art. Thus, Applicant's REMARKS that the June 12, 2006 Amendment is not prior art is superfluous. It is the body of the what is contained from Applicant's specification that constitutes the prior art. Applicant provides no arguments to refute this prior art.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-20 rejected under 35 U.S.C. 102(b) as being anticipated by Hughes et al., US 5,959,275.

Hughes discloses an asset management system comprising scanning a serial or part number, e.g. 212, MPN, into the hand held client, a radio link, an on-line sub-object, e.g. display screen, an off-line sub-object, e.g. equipment database, bay, rack, shelf and slot. It is noted the repair status of the asset is inherent with equipment databases, while the database may be viewed as both a statistical and inventory report.

5. Claims 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Stark et al., US 7,058,154.

Stark discloses an asset management system comprising an interactive database, e.g. 20, an on-line sub-object, e.g. computer display screen generating contingency outage schedules, an off-line sub-object, e.g. components.

6. Further pertinent references of interest: see the attached PTO-892.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Joseph Rudy whose telephone number is 571-272-6789. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan M. Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, reading "Andrew Joseph Rudy". The signature is stylized with a large, looped "A" and "R".

Andrew Joseph Rudy  
Primary Examiner  
Art Unit 3627